

JS 44 (Rev. 07/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

MCS Industries, Inc., 2280 Newlin Mills Road, Easton, Pennsylvania 18045

(b) County of Residence of First Listed Plaintiff Northampton County  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Zachary C. Glaser, Esquire, Kleinbard.LLC, One Liberty Place, 1650 Market St., 46th Floor, Philadelphia, Pennsylvania 19103

DEFENDANTS

Studio500 Inc., 125 Fifth Avenue, Paterson, New Jersey 07524

Battuta Inc., 125 Fifth Avenue, Paterson, New Jersey 07524

County of Residence of First Listed Defendant Passaic County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                                   |   | PTF                        | DEF                        |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input checked="" type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice <b>LABOR</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>PRISONER PETITIONS</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from Another District (specify)  
☐ 6 Multidistrict Litigation - Transfer  
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
15 U.S.C. §§ 1114(a), 1125(a), 1125(c)

Brief description of cause:

Infringement conduct occurring via internet commerce

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

Over \$75,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

1-25-17

SIGNATURE OF ATTORNEY OF RECORD

Zachary C. Glaser

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

JAN 25 2017



**FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.**

Address of Plaintiff: MCS Industries, Inc., 2280 Newlin Mills Road, Easton, Pennsylvania 18045

Address of Defendant: Studio500 Inc., 125 Fifth Avenue, Paterson, New Jersey 07524; and, Battuta Inc., 125 Fifth Avenue, Paterson, New Jersey 07524

Place of Accident, Incident or Transaction: Infringement conduct occurring via internet connection.

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

**A. Federal Question Cases:**

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases  
(Please specify) Lanham Act

**B. Diversity Jurisdiction Cases:**

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify) \_\_\_\_\_

**ARBITRATION CERTIFICATION**

(Check Appropriate Category)

I, Zachary C. Glaser, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☒ Relief other than monetary damages is sought.

DATE: 1/25/17

Zachary C. Glaser  
Attorney-at-Law

85979

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 1/25/17

Zachary C. Glaser  
Attorney-at-Law

85979

Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**


**CASE MANAGEMENT TRACK DESIGNATION FORM**

MCS INDUSTRIES, INC.,	:	CIVIL ACTION
	:	
v. Plaintiff,	:	JURY TRIAL
	:	DEMANDED
BATTUTA INC. and STUDIO500, INC.,	:	
Defendants.	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) (X)
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ( )

<u>1/25/17</u>		MCS Industries, Inc.
<b>Date</b>	<b>Attorney-at-law</b>	<b>Attorney for</b>
<u>215-568-2000</u>	<u>215-568-0140</u>	<u>zglaser@kleinbard.com</u>
<b>Telephone</b>	<b>FAX Number</b>	<b>E-Mail Address</b>

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MCS INDUSTRIES, INC.,

Plaintiff,

v.

BATTUTA INC. and STUDIO500 INC.,

Defendants.

CIVIL ACTION NO.

**JURY TRIAL  
DEMANDED**

**COMPLAINT**

Plaintiff MCS Industries, Inc. ("MCS") alleges as follows, upon actual knowledge with respect to itself and its own acts, and upon information and belief as to all other matters:

**NATURE OF THIS ACTION**

This is a civil action for trademark infringement, unfair competition, and dilution under federal, state, and/or common law. Defendants Battuta Inc. and Studio500 Inc. ("Defendants") has been offering for sale, selling, and promoting frames under the brand name FORMAT, copying MCS's federally registered and incontestable FORMAT trademark for identical products. MCS seeks equitable and monetary relief from Defendants' violation of MCS' valuable intellectual property rights.

**PARTIES**

1. Plaintiff MCS Industries, Inc. is a Pennsylvania corporation with a principal place of business at 2280 Newlin Mills Road, Easton, Pennsylvania 18045.

2. Defendant Studio500 Inc. is a New Jersey corporation with a principal place of business at 125 Fifth Avenue, Paterson, New Jersey, 07524.



3. Defendant Battuta Inc. is a New Jersey corporation with a principal place of business at 125 Fifth Avenue, Paterson, New Jersey, 07524.

#### **JURISDICTION AND VENUE**

4. This Court has jurisdiction over the subject matter of this action pursuant to 15 U.S.C. § 1121; 35 U.S.C. §§ 271, 281, and 289; and 28 U.S.C. §§ 1331, 1338(a) and (b). Because MCS is a citizen of the Commonwealth of Pennsylvania, Defendants are citizens of New Jersey, and the matter in controversy exceeds \$75,000 exclusive of interest and costs, the Court also has jurisdiction under 28 U.S.C. § 1332.

5. This Court has specific personal jurisdiction over Defendants because they have purposefully availed themselves of the privilege of conducting business in Pennsylvania. Defendants offer, market, promote, and sell their infringing products that are the subject of this lawsuit through *Amazon.com* and other means to consumers located in Pennsylvania.

6. Venue lies in this District pursuant to 28 U.S.C. § 1391(b) and (c) because a substantial part of the events giving rise to MCS's claims have occurred and are continuing to occur in this District and MCS's trademark at issue is located in this District, where MCS maintains its principal place of business.

#### **MCS AND ITS BEST-SELLING AND WELL-KNOWN FORMAT FRAMES**

7. MCS was founded in 1980 in Easton, Pennsylvania and is the United States market leader for home décor consumer products. These products include picture frames, poster frames, photo albums, scrapbooks, clocks, wall décor, art and both frameless and framed mirrors. MCS supplies the country's largest retail chains in the mass market, hobby craft, home centers, specialty channels and on-line businesses.

8. MCS undertakes substantial expense in developing innovative products and protecting these innovations with intellectual property. MCS's FORMAT product line is its signature product.

9. MCS first sold its FORMAT picture frames in 1993 and has sold them continuously ever since. MCS sells nearly eight million FORMAT frames annually.

10. Since 1993, MCS has invested substantially in capital, equipment, tooling, development costs and other expenses to build its signature FORMAT product line. MCS's FORMAT product line is sold in nearly every trade channel, including mass market, hobby craft, specialty channels and on-line retailers, including the following:

Mass Market: Walmart, Target, Meijer's

Hobby Craft: JoAnn's, Michaels, Hobby Lobby

Home Centers: Home Depot, Lowes

Specialty Channels: Bed, Bath & Beyond, TJMaxx, HomeGoods, Family Dollar, Big Lots, Kirkland's

On Line: Amazon, Zulily, Wayfair and other retailers

11. As a result of significant commercial success, widespread advertising, and long-standing and extensive publicity, MCS's FORMAT product line has been well-known for years.

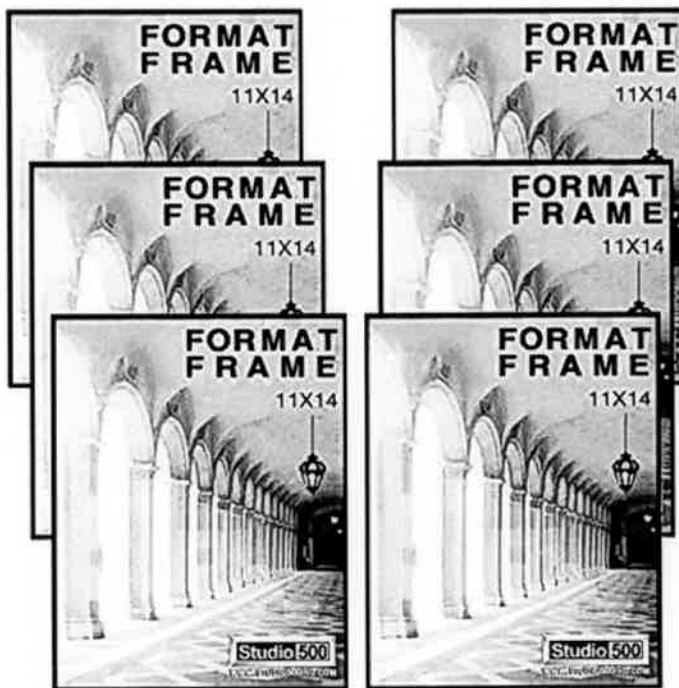
12. MCS owns an incontestable federal registration for its FORMAT mark, Registration No. 23814896, for picture frames. That registration was filed on May 16, 2003, issued on February 17, 2004, and was granted incontestable status on February 21, 2014. A copy of the registration certificate for MCS's FORMAT trademark is attached to this Complaint as Exhibit 1.

### DEFENDANTS' WRONGFUL ACTIVITIES

13. Without MCS's authorization or approval, Defendants have been offering, promoting, and selling picture frames under the trademark FORMAT FRAME.

14. Defendants have advertised, promoted and sold their infringing FORMAT FRAME picture frames on the following Internet websites, printouts of which are attached to this Complaint as Exhibit 2: Studio500inc.com, Amazon.com, Everafterguide.com, bestfinds.org, pictureframeunlimited.com, YouTube, Pinterest, Facebook, Bizrate.com, Etsy.com, Twitter, and Google +.

15. Defendants use the mark FORMAT FRAMES in advertising and promotion for their frames and on the face sheet of the frames themselves as shown below:



### **INJURY TO MCS ND THE PUBLIC**

16. Defendants' unauthorized uses of MCS's FORMAT trademark is likely to cause confusion, mistake, and deception as to the source or origin of Defendants' products, and is likely to falsely suggest a sponsorship, connection, or association between Defendants, their products, and/or commercial activities with MCS.

17. Defendants' acts, as described above, have damaged and irreparably injured and, if permitted to continue, will further damage and irreparably injure MCS and its FORMAT trademark.

18. Defendants have acted knowingly, willfully, in reckless disregard of MCS's rights, and in bad faith.

#### **FIRST CLAIM FOR RELIEF Infringement of the FORMAT Trademark Under the Lanham Act, 15 U.S.C. § 1114(a)**

19. MCS repeats and realleges each and every allegation set forth in paragraphs 1 through 18 of this Complaint.

20. Defendants' use of the FORMAT mark, as described above, is likely to cause confusion, or to cause mistake, or to deceive as to the origin, sponsorship, or approval of Defendants, their products, and/or commercial activities by or with MCS, and thus constitutes trademark infringement in violation of the Lanham Act, 15 U.S.C. § 1114(a).

#### **SECOND CLAIM FOR RELIEF Infringement of the FORMAT Trademark, False Designation of Origin, Passing Off, and Unfair Competition Under Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a)**

21. MCS repeats and realleges each and every allegation set forth in paragraphs 1 through 20 of this Complaint.



22. Defendants' use of the FORMAT mark, as described above, is likely to cause confusion, or to cause mistake, or to deceive as to the origin, sponsorship, or approval of Defendants, their products, and/or commercial activities by or with MCS, and thus constitutes trademark infringement, false designation of origin, passing off, and unfair competition in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

**THIRD CLAIM FOR RELIEF**  
**Dilution of the FORMAT Trademark**  
**Under Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c)**

23. MCS repeats and realleges each and every allegation set forth in paragraphs 1 through 22 of this Complaint.

24. MCS's FORMAT trademark has become famous as a result of, among other things, inherent and acquired marketplace strength due to extensive sales and promotion over more than 25 years. Further, MCS's FORMAT mark was famous before Defendants' first use of the infringing FORMAT mark.

25. Defendants' use of the FORMAT mark, as described above, is likely to cause dilution of MCSs famous and federally registered FORMAT mark, in violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

**FOURTH CLAIM FOR RELIEF**  
**Unfair Competition under Pennsylvania Unfair Trade Practices**  
**and Consumer Protection Law, 73 P.S. § 201-2 et. seq.**

26. MCS repeats and realleges each and every allegation set forth in paragraphs 1 through 25 of this Complaint.

27. Defendants' acts, as described above, are likely to cause confusion, or to cause mistake, or to deceive as to the source, sponsorship, approval, affiliation, or connection of Defendants, their products, and/or commercial activities by or with MCS, and thus constitute

unfair methods of competition and unfair and deceptive acts and practices under Pennsylvania Unfair Trade Practices and Consumer Protection Law, 73 P.S. § 201-2 *et. seq.*

**FIFTH CLAIM FOR RELIEF**  
**Common Law Trademark Infringement and Unfair Competition**

28. MCS repeats and realleges each and every allegation set forth in paragraphs 1 through 27 of this Complaint.

29. Defendants' actions, as described above, are likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Defendants with MCS, or as to the origin, sponsorship, or approval of Defendants, their products, and commercial activities by or with MCS such that Defendants' acts constitute infringement of MCS's proprietary rights in the FORMAT mark, misappropriation of MCS's goodwill in its FORMAT mark, and unfair competition under Pennsylvania common law.

**SIXTH CLAIM FOR RELIEF**  
**Injury to Business Reputation and Dilution**  
**Under 54 Pa. Stat. and Cons. Stat. Ann. § 1124**

30. MCS repeats and realleges each and every allegation set forth in paragraphs 1 through 29 of this Complaint.

31. MCS's FORMAT trademark is famous in this Commonwealth, as that term is used in 54 Pa. Stat. and Cons. Stat. Ann. § 1124, and was famous before Defendants' first use of the infringing FORMAT mark based on, among other things, the mark's inherent and acquired marketplace strength and extensive and long-standing use, advertising, and promotion.

32. Defendants' acts, described above, including blatant copying of MCS's mark, show that Defendants willfully intended to trade on MCS's reputation and cause dilution of its famous mark.



33. Defendants' acts, described above, are likely to dilute the distinctive quality of MCS's FORMAT trademark and cause injury to MCS's business reputation in violation of 54 Pa. Stat. and Cons. Stat. Ann. § 1124 *et. seq.*

**JURY DEMAND**

Pursuant to Fed. R. Civ. P. 38, MCS respectfully demands a trial by jury on all issues properly triable by a jury in this action.

**PRAYER FOR RELIEF**

WHEREFORE, MCS requests that this Court enter judgment in its favor on each and every claim for relief set forth above and award it relief including, but not limited to, the following:

A. An Order declaring that Defendants' use of the FORMAT mark violates MCS's rights in its FORMAT mark and constitutes trademark infringement, unfair competition, and dilution under federal, state and/or common law, as detailed above;

B. A permanent injunction enjoining Defendants and their employees, agents, partners, officers, directors, shareholders, principals, subsidiaries, related companies, affiliates, distributors, dealers, and all persons in active concert or participation with any of them:

1. From using or registering the FORMAT mark and any other marks that are likely to be confused with MCS's FORMAT mark;

2. From representing by any means whatsoever, directly or indirectly, that Defendants, any products or services offered by Defendants, or any activities undertaken by Defendants, are associated or connected in any way with MCS, sponsored or authorized by MCS, or otherwise affiliated with MCS.

C. An Order directing Defendants to, within thirty (30) days after the entry of the injunction, file with this Court and serve on MCS's attorneys a report in writing and under oath setting forth in detail the manner and form in which Defendants have complied with the injunction;

D. An Order directing Defendants to immediately send to MCS all products, advertisements, hangtags, promotional materials, stationery, forms, and/or any other materials and things that contain or bear the FORMAT mark and/or any other marks that are likely to be confused with or to dilute MCS's mark;

E. An Order requiring Defendants to account for and pay to MCS any and all profits arising from the foregoing acts, and increasing such profits, including trebling them, in accordance with 15 U.S.C. § 1117 and other applicable laws;

F. An Order requiring Defendants to pay MCS damages in an amount as yet undetermined (and including prejudgment and post-judgment interest) caused by the foregoing acts, and trebling such damages in accordance with 15 U.S.C. § 1117, 35 U.S.C. §§ 284 or 289; and other applicable laws;

G. An Order requiring Defendants to pay MCS punitive damages in an amount to be determined due to the foregoing willful acts;

H. An Order requiring Defendants to pay MCS its costs and attorneys' fees in this action pursuant to 15 U.S.C. § 1117 and other applicable laws; and



I. Other relief as the Court may deem appropriate.

Dated: January 24, 2017

Respectfully Submitted,



Zachary C. Glaser, Esquire  
Kleinbard, LLC  
1650 Market Street – 46<sup>th</sup> Floor  
Philadelphia, PA 19103  
267-443-4117  
*Attorneys for Plaintiff*  
*MCS Industries, Inc.*

and

Brian L. Belles, Esquire  
Lisa Peller London, Esquire  
BELLES KATZ, LLC  
721 Dresher Road, Ste. 110  
Horsham, Pennsylvania  
(215) 658-1890 (phone)  
llondon@belleskatz.com

*Co-counsel for Plaintiff*  
*MCS Industries, Inc.*

# **EXHIBIT “1”**



Int. Cl.: 20

Prior U.S. Cls.: 2, 13, 22, 25, 32 and 50

**United States Patent and Trademark Office**

**Reg. No. 2,814,896**  
Registered Feb. 17, 2004

**TRADEMARK  
PRINCIPAL REGISTER**

**FORMAT**

MCS INDUSTRIES, INC. (PENNSYLVANIA COR-  
PORATION)  
2280 NEWLINS MILL ROAD  
EASTON, PA 18045

FIRST USE 0-0-1992; IN COMMERCE 0-0-1992.

SER. NO. 76-517,486, FILED 5-16-2003.

FOR: PICTURE FRAMES, IN CLASS 20 (U.S. CLS.  
2, 13, 22, 25, 32 AND 50).

DARRYL SPRUILL, EXAMINING ATTORNEY

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Friday, February 21, 2014 11:01 PM  
**To:** akatz@belleskatz.com  
**Subject:** Official USPTO Notice of Acceptance and Renewal Sections 8 and 9: U.S. Trademark RN 2814896: FORMAT: Docket/Reference No. MCS-009

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**Serial Number:** 76517486  
**Registration Number:** 2814896  
**Registration Date:** Feb 17, 2004  
**Mark:** FORMAT  
**Owner:** MCS Industries, Inc.

Feb 21, 2014

#### **NOTICE OF ACCEPTANCE UNDER SECTION 8**

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. **The Section 8 declaration is accepted.**

#### **NOTICE OF REGISTRATION RENEWAL UNDER SECTION 9**

The renewal application filed for the above-identified registration meets the requirements of Section 9 of the Trademark Act, 15 U.S.C. §1059. **The registration is renewed.**

**The registration will remain in force for the class(es) listed below for the remainder of the ten-year period, calculated from the registration date, unless canceled by an order of the Commissioner for Trademarks or a Federal Court.**

**Class(es):**  
020

TRADEMARK SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

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#### **REQUIREMENTS FOR MAINTAINING REGISTRATION IN SUCCESSIVE TEN-YEAR PERIODS**

**WARNING:** Your registration will be canceled if you do not file the documents below during the specified time periods.

**What and When to File:** You must file a declaration of use (or excusable nonuse) and an application for renewal between every 9th and 10th-year period, calculated from the registration date. See 15 U.S.C. §§1058, 1059.

##### **Grace Period Filings**

The above documents will be considered as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*\*\*The USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE REGISTRANT SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.\*\*\***

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# **EXHIBIT “2”**



amazon services

United States

seller forums

Seller Central

Welcome, Guest   Login   Forums Guidelines   Forums Help

### Seller Forums

Amazon Seller Forums » Fulfillment By Amazon » General FBA Questions

#### Thread: I have thousands of format frames. Who puts the EAN #s on them?

This thread has been archived - replies are not allowed.

This question is answered.

Replies: 9 - Pages: 1 - Last Post: 13 May, 2016 8:00 PM by: Battuta

Battuta

Posts: 6

Registered: 17 Apr, 16 11:44 PM

Posted on: 07 May, 2016 9:53 AM

fba , ean , packaging , shipping\_rules , fulfillment\_center , labels , selling , upc

8X10FORMATFRAME12.jpg (544.8 KB)

8X10FORMATFRAME2.jpg (415.2 KB)

8X10FORMATFRAME6.jpg (495.6 KB)

We would like to start selling on FBA

I have a few questions regarding sets.

I have boxes of these frames if I put the ean number on each of the Frames this would take so much time? However If I send you the .jpg numbers it would make it much easier on us:

For instance:

If I am selling a set of 6 Format Frames I am gathering you need a label on each product with the EAN number on it so you know which one it goes with. I wanted to know if I could give you guys the ean number for that particular set in picture files.

SEE THE BOXES ARE ALL THE SAME SIZE BUT HAVE DIFFERENT VARIATIONS so if you get I GET AN order of 6 would FBA BE ABLE TO PUT that particular EAN number on each frame or how does this work?

The same goes for a set of 2 & sets of 1 pack with each product labeled with

Available Actions

Search Forum

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Icon Legend

Answered question

Unanswered question with answer points still available

Unanswered question

Seller Forums Status Icons

Master: 25000+ pts

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Enthusiast : 500-4999 pts

Novice: 50-499 pts

Amazonian

I have thousands of format frames. Who puts the EAN #s on them? - Amazon Seller Forums

the a different EAN number that particular set?

I hope someone is following me this is quite difficult to explain.

Thanks  
Suzie

View the reply Battuta selected as correct

Is this a helpful question?    Yes    0    No

9 Replies

Sort replies by:    Earliest reply first    ▼

Red Sky

Posts: 5,577  
Registered: 09 Nov, 13  
12:59 AM

Posted on: 07 May, 2016 10:01 AM    in response to: Battuta

Helpful

You are talking to other sellers. I suggest reading the rules about how to label your products for FBA. Also read a lot of the old FBA related threads.

Was this reply helpful?    Yes    2    No    0

Battuta

Posts: 6  
Registered: 17 Apr, 16  
11:44 PM

Posted on: 07 May, 2016 12:03 PM    in response to: Battuta

We would like to start selling on FBA

I have a few questions regarding sets.

I have boxes of these frames if I put the ean number on each of the Frames this would take so much time? However If I send you the .jpg numbers it would make it much easier on us:

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SEE THE BOXES ARE ALL THE SAME SIZE BUT HAVE DIFFERENT VARIATIONS so if you get I GET AN order of 6 would FBA BE ABLE TO PUT that particular EAN number on each frame or how does this work?

The same goes for a set of 2 & amp; sets of 1 pack with each product labeled with the a different EAN number that particular set?

I hope someone is following me this is quite difficult to explain.

Thanks  
Suzie

Was this reply helpful? **Yes** 0 **No** 0

Battuta selected this reply as correct

[View original question](#)

Red Sky

Posts: 5,577  
Registered: 09 Nov, 13  
12:59 AM

Posted on: 07 May, 2016 4:40 PM in response to: Battuta

Again, you are speaking to other sellers.

If you sell one frame by itself it will be number 1.

If you sell one "bundle" of two frames, the frames will be packaged together. You cannot use number 1 for this, you need a new number. We will call it 2.

If you sell one "bundle" of six frames, the frames will be packaged together. You cannot use number 1 and you cannot use number 2. A bundle of six frames is a completely different product than one frame or two frames, so you need a new number. We will call it 3.

You need to bundle the product and number it before you send it to FBA. Whoever you think you are talking to is not going to do that for you. Is there glass in these frames? You need to make sure these frames are packaged correctly so they don't break when the Amazon employee takes one off the shelf and throws it into a box to ship to a customer.

Was this reply helpful? **Yes** 2 **No** 1

Boardgames4Us

Posts: 9,770  
Registered: 17 Mar, 12  
1:16 AM

Posted on: 07 May, 2016 9:07 PM in response to: Battuta

Battuta wrote:

*We would like to start selling on FBA*

*I have a few questions regarding sets.*

*I have boxes of these frames if I put the ean number on each of the Frames this would take so much time? However if I send you the .jpg numbers it would make it much easier on us:*

Either you do it yourself or you pay someone to do it. There are many logistics/fulfillment companies who have the capability to perform services like this. Use Google search and pay attention to your state. You can get a quote for the services requires along with a timeframe and then prepare to ship your items to them to do the work. Expect that rates of upwards of \$40 per hour for the work. That will probably work out to over \$1.00 per label. Amazon costs less, but will only apply FNSKUs to products with existing barcodes.

You will need to make sure that you know very specifically which get which and be able to explain that in writing.

The more complex, the better and more specific your documents will need to be.

I expect it will be quicker and more cost effective to do it yourself.

What most would do is to have it done as part of the manufacturing process,



I have thousands of format frames. Who puts the EAN #s on them? - Amazon Seller Forums

but I take it that you are too late for that now.

Best of luck with that.

Dave

Was this reply helpful? Yes 0 No 0

Funky Monkey

Posts: 9,397  
Registered: 11 Mar, 13  
4:44 PM

Posted on: 07 May, 2016 9:15 PM in response to: Battuta

I wish you'd stop YELLING.

Recommended reading:

**Fulfillment by Amazon (FBA)**

[https://sellercentral.amazon.com/gp/help/help.html/?itemID=53921&ref\\_=ag\\_53921\\_a\\_r2\\_cont\\_sgsearch](https://sellercentral.amazon.com/gp/help/help.html/?itemID=53921&ref_=ag_53921_a_r2_cont_sgsearch)

**Product Bundling Policy**

[https://sellercentral.amazon.com/gp/help/help.html/?itemID=200442350&ref\\_=ag\\_200442350\\_a\\_r0\\_cont\\_sgsearch](https://sellercentral.amazon.com/gp/help/help.html/?itemID=200442350&ref_=ag_200442350_a_r0_cont_sgsearch)

Funky

Was this reply helpful? Yes 0 No 1

Battuta

Posts: 6  
Registered: 17 Apr, 16  
11:44 PM

Posted on: 13 May, 2016 7:39 PM in response to: Funky Monkey  
fulfillment\_centers , amazon , labels , fulfillment

Who is yelling? I am not I am simply asking a question. In which, I think I received my answer.

The answer is you can put 280 pieces in a box and label it with the corresponding number as if say this is ASIN 1

Another Box with 500 pieces in a box and label it with the corresponding number is say this is the 12 pack. Put the ASIN number that belongs with that say 12.

But I wasn't yelling at all. I was frustrated sine no one can tell me a straight answer.

thanks  
SVH

Was this reply helpful? Yes 0 No 1

Posted on: 13 May, 2016 7:41 PM  in response to: Battuta fulfillment\_center , upc , ean , fba , selling , packaging , labels , shipping\_rules

You are the one with the most logical answer that I received.

"If you sell one frame by itself it will be number 1.

If you sell one "bundle" of two frames, the frames will be packaged together. You cannot use number 1 for this, you need a new number. We will call it 2.

If you sell one "bundle" of six frames, the frames will be packaged together. You cannot use number 1 and you cannot use number 2. A bundle of six frames is a completely different product than one frame or two frames, so you need a new number. We will call it 3."

Thank you.  
Suzie

Edited by: Battuta on May 13, 2016 7:42 PM

Edited by: Battuta on May 13, 2016 7:45 PM

Was this reply helpful?   **Yes**   0   **No**   0

Posted on: 13 May, 2016 7:51 PM  in response to: Red Sky fulfillment , fulfillment\_centers , labels , amazon

This is a duplicate answer don't know how to delete it.

Edited by: Battuta on May 13, 2016 7:58 PM

Was this reply helpful?   **Yes**   0   **No**   1

Posted on: 13 May, 2016 7:56 PM  in response to: Battuta upc , fulfillment\_center , ean , fba , labels , selling , packaging , shipping\_rules

A + Response Red Sky

Was this reply helpful?   **Yes**   0   **No**   0

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1/6/2017

Amazon.com: Studio 500, 11 by 17-inch, Format Frame, Black, 6-Pack: Home &amp; Kitchen

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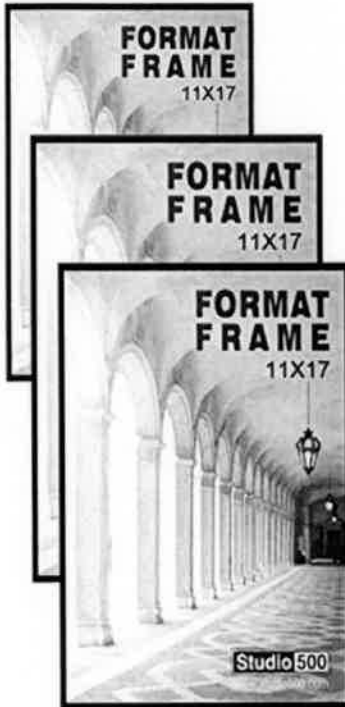
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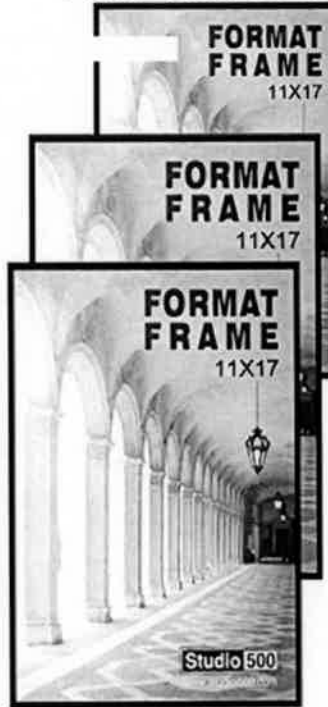
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Back to search results for "Studio 500 FORMAT FRAME"



## Studio 500, 11 by 17-inch, Format Frame Black 6-Pack



View

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ID, INC..

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Qty: 1

**\$37.00 + Free Shipping**  
In Stock. Sold by **STUDIO 500, INC.**

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Have one to sell?

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**ONE WALL**

Find 4PCs 11x17  
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4PCs 11x17 Picture Frames Black with  
2 Mats for 8x8 or 4x4 Pictures Wood I...

\$35.99

Roll over image to zoom in

### Customers Who Viewed This Item Also Viewed

Page 1 of 3

Ad feedback



MCS Format Frame, 11 by  
17-Inch, Black (6 Pack)

286

\$38.00



Mainstays 11x17 Picture  
Frame with Glass, Set of 3

37

\$20.24



MCS Pic  
for a 11"  
Color; Bl

\$11.99

### Customers Also Shopped For

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1 **Michael's® Wall Frames - 50% Off** - Save on Select Wall Frame Collections & Make a Fresh [www.michaels.com/WallFrames](http://www.michaels.com/WallFrames)  
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1/6/2017

Amazon.com: Studio 500, 11 by 17-inch, Format Frame, Black, 6-Pack: Home &amp; Kitchen

1. **Michael's® Wall Frames - 50/75/100**  
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Start at Michaels. Buy Now![www.michaels.com/wallframes](http://www.michaels.com/wallframes)2. **MCS Format Picture Frames** - Great prices on these popular **frames** - sizes from 4x6 to  
16x20[www.pfile.com/mcs-picture-frames](http://www.pfile.com/mcs-picture-frames)[Ad feedback](#)

## Special Offers and Product Promotions

- Your cost could be **\$0.00 instead of \$37.00!** Get a **\$50.00 gift card instantly** upon approval for the **Amazon.com Rewards Visa Card**. Apply now.

## Product Description

Battuta, Inc. is the manufacturer of the well known company, Studio 500, Inc. Our Modern Format Frames are simple to use and easy to hang. To put your picture in this polished glass edged frame, follow these instructions: 1. Pop out the smooth trimmed glass. 2. Keep the black back inserted in place. 3. Insert your picture. 4. Pop the glass back in the frame. Please Note: This modern frame has molding openings in the back so you are able to mount the frame either vertical or horizontal.

## Product Information

Product Dimensions	17 x 11 x 0.5 inches
Item Weight	8 pounds
Shipping Weight	8.8 pounds (View shipping rates and policies)
Manufacturer	Battuta, Inc.
ASIN	B01M71QWZI
Item model number	B500-FF-11X17-BLK6
Customer Reviews	1 customer review 4.0 out of 5 stars
Best Sellers Rank	#1,138,774 in Home and Kitchen (See Top 100 in Home and Kitchen) #335,858 in Home & Kitchen > Home Décor

## Warranty & Support

**Product Warranty:** For warranty information about this product, please click here

## Feedback

If you are a seller for this product, would you like to **suggest updates through seller support?**

Would you like to **tell us about a lower price?**



amazon

Settle in to stream shows with Prime Video monthly

Get Started

[Ad feedback](#)

## Customer Questions & Answers

[See questions and answers](#)

1/6/2017

Amazon.com: Studio 500, 11 by 17-inch, Format Frame, Black, 6-Pack: Home &amp; Kitchen

## Customer Reviews

1

4.0 out of 5 stars

5 star  0%

4 star  100%

3 star  0%

2 star  0%

1 star  0%

Share your thoughts with other customers

Write a customer review

See all verified purchase reviews

## Top Customer Reviews

## Four Stars

By Courtney Brown on October 25, 2016

Verified Purchase

Met our needs. A little loose, but I'd order them again.

Comment Was this review helpful to you?   Report abuse

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Ad feedback

## Search Customer Reviews

## What Other Items Do Customers Buy After Viewing This Item?



MCS Format Frame, 11 by 17-Inch, Black (6 Pack)

286

\$38.00



Mainstays 11x17 Picture Frame with Glass, Set of 3

37

\$20.24

11x11 Woot Picture  
Frames for Decorating  
Walls11x11 Picture Frames Black with 2 Mats for  
8x8 or 4x4 Pictures, Wood Instagram Photo...

3

\$12.99

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Math Activities  
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To Shop For Toys

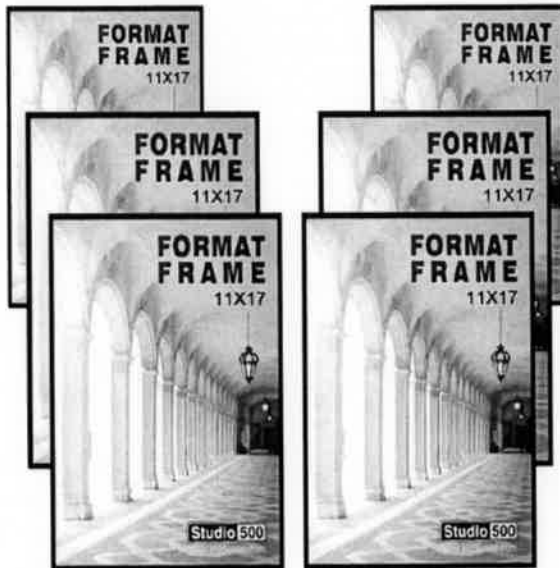
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## Studio 500, 11 By 17-Inch, Format Frame, Black, 6-Pack

**\$ 37.00** As of 2017-01-05 20:58:49 CDT (more info)

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11

### Recommendation

We discovered it 37 days ago. It had not been seen previously on Pinterest, Google, Yahoo, Bing and PicSearch.

Fresh

1 day

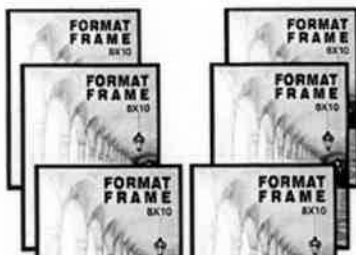
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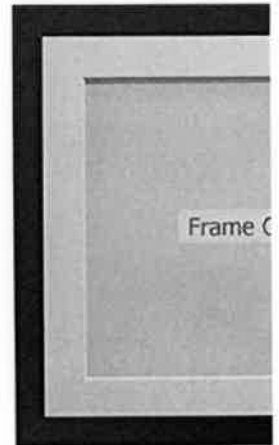
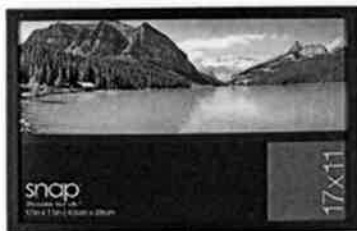
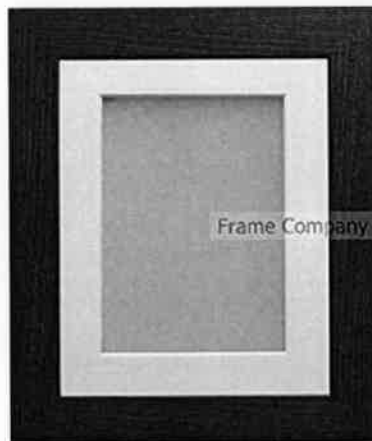
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Our Modern Collection, TheNEW 2016 In Stock Star Wars  
Darth Maul 6 Inch Black SeriesStudio 500, 10 By 20-Inch Black  
Format Collage Frame, WithNEW 2016 In Stock Star Wars  
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Edition Realtree InnovFrame Company All  
Range Picture PhotoSnap 11-Inch-By-17-Inch Black  
Wood Frame By PinnacleFrame Company Watson Range  
14 X 11-Inch Black Picture

188

POWER RANGERS Zyuohger 6  
Inch Soft Vinyl : Zyuoh Bard

31

Frame Company Di  
Range 14 X 11-Inch

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6-Foot 6-Inch Pre-Lit Corner  
Tree With Clear Lights

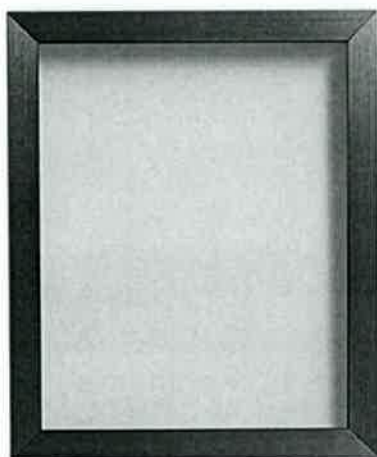


Black Beveled Matted Frame 7 (4" X 6") Opening Hanging



Frame USA 17064 Ba  
Picture Frames, 11 )

9



Frame Company Simpson  
Range 14 X 11-Inch Picture And

137



Frame Company Drayton  
Range 6 X 4 -Inch Picture Photo



6 PACK FITNESS INNOVATOR  
300 MEAL BAG REALTREE

126



Novel PACK Of 6 Sty  
STRAP CONVERTER





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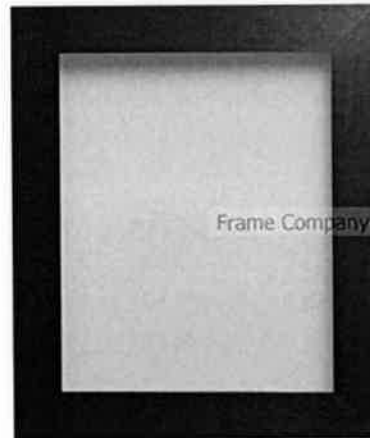
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TOPPS MATCH ATTAX 2016-17  
CHAMPIONS LEAGUE STARTER



KitchenWorthy 13-Inch Pizza  
Stone Set Oven Safe To: 500



Frame Company Hamilton  
Range 30 X 20-Inch Wooden

52



Eat 17 Bacon Jam 105  
Of 6

1



Frame Company Allington  
Range 20 X 10-Inch Picture

89



Staggered Collage Pattern 6(4"  
X 6") 4( 6" X 4"), 10 Picture

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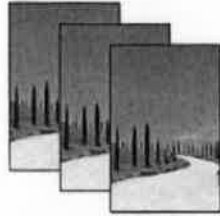
Format Frame 3 Pack - Black 11x17 | Bizrate

## Format Frame 3 Pack - Black 11x17

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You're in Picture Frames

**Format Frame 3 Pack - Black 11x17**

Find picture frames and display boxes at Target.com! Showcase your happy moments with the room essentials format frames. They're made of plastic and have a painted finish. With glass surface covers, they enhance the look of your photos. Use them to...

Price & Stock Not Available at Target.com

Sort: Best Match

Show: ☐ Free Shipping ☐ Sales

Tax &amp; Shipping: zip code

**Mainstays 6x8 Format Picture**

Enhance your home decor with this **Format Frames, 6x8, Black, Set of 12**. This product can be used to display your favorite photos or posters and add a decorative touch to any room. This set comes with 12 black photo frames. They can be hung vertically... [more](#)

Product Info

**\$12.00**

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Walmart

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**from \$233**  
See best prices from 200+ sites on

TripAdvisor

**MCS Industries Black 10 by**

This 10-inch by 20-inch **Format Museum Picture Frame** features a thin black plastic edge and a white die-cut mat front, which pops out from the frame for easy loading of photos. It offers a sleek contemporary look that will allow your most precious photo... [more](#)

Product Info

**\$9.95**

go to store

Amazon Marketplace



**MCS Format Frame Collage, 3 Openings, One 5 by 7-inch, Two 4 by 6-inch.** MCS classic format frames are simple to use and easy to hang. To put your picture in the thin edged frame, you just pop out the polished edge glass, insert your picture and pop the glass back in the frame. The frame has molded openings in the back so... [more](#)

Product Info

**\$5.95**

go to store

Amazon Marketplace

**Pinnacle Black Snap Frame - 11x17 Black**

The Pinnacle **Black Snap Wooden Frame** is perfect to display your favorite photos or art. It can be displayed vertically or horizontally. Holds 11x17 photo. Dimensions: 11.75H x 17.75W x .6D. ... [more](#)

Product Info

~~\$29.99~~ **\$14.99**

go to store

Boscov's  
(25,000+)**Studio 500 8.5 by 11-inch, Format Frame, Black 6-Pack**

Studio 500 brings you our modern **format frames**. To put your picture into the frame, follow these instructions: 1. Pop out the smooth trimmed glass. 2. Insert your picture. 3. Pop the glass back in the frame. Note: This modern frame has molding openings... [more](#)

Product Info

**\$20.50**

go to store

Amazon.com

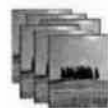
**Pinnacle Black Collage Photo Frame - 24x16 Black**

The Pinnacle **Black Collage Photo Frame** is the perfect piece to display your most cherished family photos. This wooden frame has six openings with one White mat opening. Hangs on wall. Holds two 4x4 photos, three 4x6 photos, and one 10x8 photo or a 5x7... [more](#)

Product Info

~~\$49.99~~ **\$24.99**

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Boscov's  
(25,000+)**Set of 6 Format Frames - Black 8x10**

Find **Picture Frames** and **Display Boxes** at Target.com! This set of picture frames is an ideal choice for your home. **Format frames** feature a thin piece of plastic for the edges, so the frame seems to disappear and the picture is all you see. The six... [more](#)

Product Info

~~\$18.00~~ **\$14.24**

FREE shipping

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Target.com

**Art to Frames Double-Multimat-644-837/89-FRBW26079 Collage Photo Frame**

Your one-of-a-kind photos deserve one-of-a-kind frames, but visiting a custom frame shop can be time consuming and expensive. Art to Frames extensive and growing line of inexpensive multi opening Photo Mats will get you the look you want at a price you... [more](#)

Product Info

**\$48.06**

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Amazon.com

**Mainstays 10-Piece Format Picture Frame Set**

These **Format Frames (Black)** are the perfect solution for anyone who wants to display a large collection of photos. You can hang them vertically or horizontally to create a fun and unique

**\$15.90**

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Format Frame 3 Pack - Black 11x17 | Bizrate



display wall. Use this set of 10 frames together in one room or... [more](#)  
Product Info

Walmart



**PictureFrameFactoryOutlet 11x17 Picture Frame 1.25 Inch Wide Black Flat**  
11 x 17 inch wood frame. Just pop off the back, insert your art piece, then hang. Ready-made wood frames that are high quality. ... [more](#)  
Product Info

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### Studio 500, 8.5 by 11-inch, Format Frame, Black, 6-Pack

Studio 500 brings you our modern format frames. To put your picture into the frame, follow these instructions: 1. Pop out the smooth trimmed glass. 2. Insert your picture. 3. Pop the glass back in the frame. Note: This modern frame has molding openings. ... [more](#)  
Product Info

**\$20.25**  
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Amazon Marketplace

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This is a brand new 11x17 picture, photo, diploma, poster frame (meaning a 11" x 17" or a 17" x 11" print will fit just right). This 11 x 17 Black Stain on Pine frame is made of Wood, measuring 1.5" wide, and 0.63" deep, with a .375" deep... [more](#)  
Product Info

**\$16.26**  
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Amazon Marketplace



### Mainstays 11x17 Picture Frame with Glass, Set of 3

Mainstays 11x17 Picture Frame with Glass, Set of 3 Mainstays 11x17 Format Picture Frame, Set of 3. Includes 3 frames with glass. Photos or prints are inserted in front. Can be wall-mounted. Position vertically or horizontally. Each measures 11" x 17"... [more](#)  
Product Info

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### 12x18 Format Picture Frame, Set of 3 Black Plastic by Mainstays

These Mainstays frames will allow you to proudly display your favorite photos or artwork. It's made for vertical or horizontal display. ... [more](#)  
Product Info

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Amazon Marketplace



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Product Info

**\$36.13**  
go to store

Amazon Marketplace



### MCS Industries Black 8 by 10-Inch Matted Format Frame with 1 3-1/2 by 5-Inch

This 8-inch by 10-inch Format Museum Picture Frame features a thin black plastic edge and a white die-cut mat front, which pops out from the frame for easy loading of photos. It offers a sleek contemporary look that will allow your most precious photo... [more](#)  
Product Info

**\$4.70**  
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### ArtToFrames 11x17 inch Black Picture Frame, WOMERBW72079-11x17

This is a brand new 11x17 picture, photo, diploma, poster frame (meaning a 11" x 17" or a 17" x 11" print will fit just right). This 11 x 17 Black frame is made of MDF, measuring 1.25" wide, and 0.75" deep, with a .375" deep rabbet (the... [more](#)  
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**\$10.94**  
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### Quadro Frames 11x17 inch Picture Frame, Black, Style P375 - 3/8 inch Wide

All our picture frames are produced on demand at our facility in Spencer MA using our exclusive Quadro Frames molding system. Moldings are custom extruded to our specifications and consist of ABS plastic with a metallized mylar finish, they are... [more](#)  
Product Info

**\$13.66**  
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Amazon Marketplace



### Studio 500, 11 by 17-inch, Format Frame, Black, 6-Pack

Battuta, Inc. is the manufacturer of the well known company, Studio 500, inc. Our Modern Format Frames are simple to use and easy to hang. To put your picture in this chic edged 11x17-inch frame, follow these instructions: 1. Pop out the smooth trimmed... [more](#)  
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**\$37.00**  
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### Craig Frames 1.5DRIFTWOODBK 11x17 Picture/Poster Frame, Wood Grain

This brand new picture frame is manufactured in the USA at our facility in Ithaca, Michigan using the best materials and tools available. Please review the product listing details of the frame selection you have made. Our picture frames SMALLER than... [more](#)  
Product Info

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### MCS Plastic Format Frame for a 11" x 17" Photograph, Color: Black, 2 inch

Front load your pictures 11in by 17in frame in black Very thin frame profile Easy to hang 2 inch Thick... [more](#)  
Product Info

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### 15x21 Matting for Picture Frame Black with Cream Core and 11x17 Opening

This matting fits a 15x21 frame with an opening size for a 11x17 photo / print (Actual opening size is 10.5x16.5). The reason for the smaller "actual" opening size is to create a .25" overlap on all sides so that the matting sufficiently covers and... [more](#)

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Format Frame 3 Pack - Black 11x17 | Bizrate



Product Info

Amazon Marketplace

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Amazon Marketplace

**MCS Format Frame Collage, 4 Openings, 4 by 6-Inch, Black**

MCS classic format frames are simple to use and easy to hang. To put your picture in the thin edged frame, you just pop out the polished edge glass, insert your picture and pop the glass back in the frame. The frame has molded openings in the back

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**MCS 10435 Format Frame, 8 by 12-Inch, Black**

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Amazon Marketplace

**MCS 12605 Format Frame, 12 by 16-Inch, Black**

Classic and affordable frame features a thin molded edge so your image gets all the attention. Clear glass opens from the front for easy loading. Photo may be displayed horizontally or vertically. Use on a wall or tabletop. ... [more](#)

**\$6.95**[go to store](#)

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**MCS Format Frame (6 Pack), 8 by 8", Black**

MCS Classic Format frames are simple to use and easy to hang. To put your picture in the thin edged frame, you just pop out the smooth trimmed glass, insert your picture and pop the glass back in the frame. The frame has molded openings in the back so... [more](#)

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**MCS 47357 Format Frame, 8 by 8-Inch, Black**

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**\$3.50**[go to store](#)

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**MCS Format Frame (6 Pack), 9 by 12", Black**

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**MCS Format Frame (6 Pack), 8 by 12", Black**

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**\$25.68**[go to store](#)

Amazon Marketplace

**MCS 10439 4 by 6-Inch Format Frame, Black**

This very popular plastic frame is a front loading wall or tabletop frame and can be displayed either horizontally or vertically. Offered in Black or White. 4x6 through 20x20 ... [more](#)

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School Specialty Black Plastic Format Frame measures 11 in x 14 in. Frame can be used for horizontal or vertical display on wall or tabletop with an attractive front loading design. ... [more](#)

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**MCS Format Record Album Or Cover Frame Black 47678**

Our best selling frame has been adapted to hold your favorite record album or album cover. This thin format frame does not detract from your collectible album and provides real glass protection. It's front loading and comes with a preformed hanger slot... [more](#)

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Product Info

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**MCS Plastic Format Frame for a 11" x 17" Photograph, Color: Black, 2 inch**

MCS Classic **Format frames** are simple to use and easy to hang. To put your picture in the thin edged **frame**, you just pop out the smooth trimmed glass, insert your picture and pop the glass back in the **frame**. The **frame** has molded openings in the back for... [more](#)

Product Info

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This 11-inch by 14-inch **Format Museum Picture Frame** features a thin **black** plastic edge and a white die-cut mat front, which pops out from the **frame** for easy loading of photos. It offers a sleek contemporary look that will allow your most precious photo... [more](#)

Product Info

**\$6.75**[go to store](#)

Amazon Marketplace

**MCS 53936 Format Frame, 13 by 19-Inch, Black**

Classic and affordable **frame** features a thin molded edge so your image gets all the attention. Clear glass opens from the front for easy loading. Photo may be displayed horizontally or vertically. Use on a wall or tabletop. ... [more](#)

Product Info

**\$8.75**[go to store](#)

Amazon Marketplace

**MCS Plastic Format Frame for a 12x18" Photograph, Color: Black**

This very popular 12"x18" picture **frame** features a thin plastic edge and clear glass which pops out from the front of the **frame** for easy loading of photos. Great for digital photos. Photos or documents can be displayed either horizontally or... [more](#)

Product Info

**\$6.95**[go to store](#)

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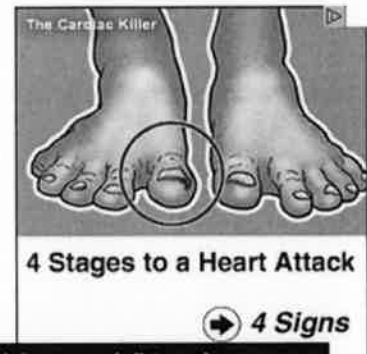


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11 by 14-inch Black Format Frame with White by Studio500Gifts

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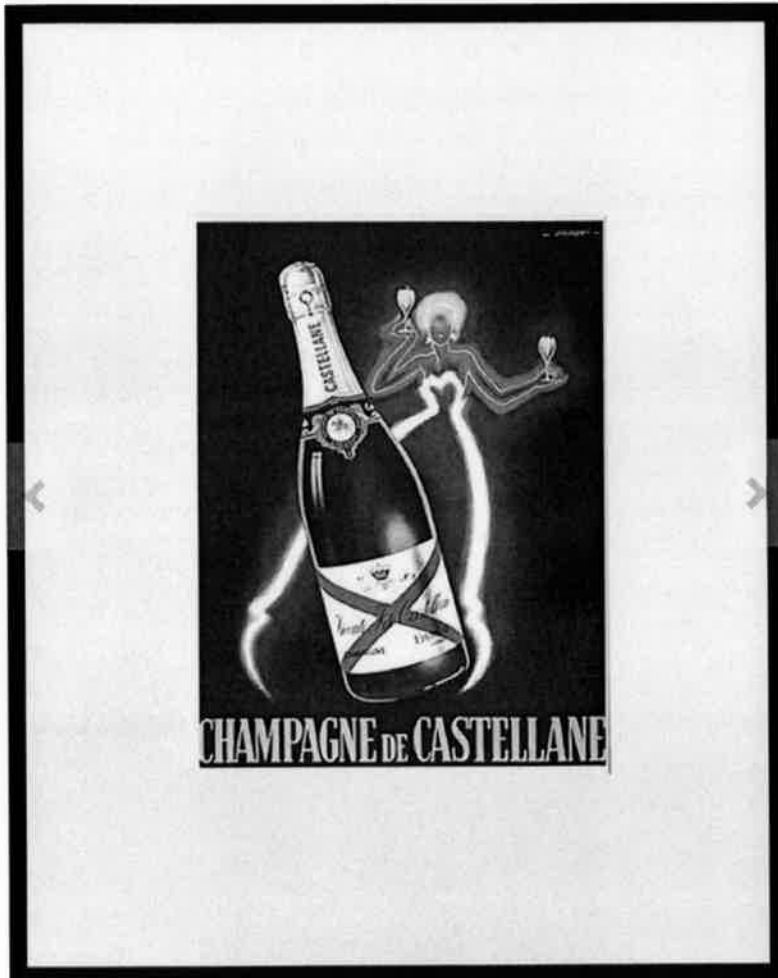
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11 by 14-inch Black Format Frame with  
White Matte in this 3D Vintage French Print:  
"Champagne de Castellane" by Robert  
Falcucci

\$14.00

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## Overview

- Vintage item
- Materials: Glass, mdf, acid free mat, Plastic, Metallic Photo, Metallic Vintage
- Ships worldwide from United States

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Studio500Gifts

in Paterson, New Jersey

Item details

Shipping &amp; Policies

Studio 500, Inc. Is bringing you an awesome UNIQUE FIND & is highly discounted; a Collection of French Vintage Travel Art in a Metallic Postcard.

This piece of our French Vintage Collection is called ""Champagne de Castellane"" Liquor Advertising by Robert Falcucci.

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11 by 14-inch Black Format Frame with White by Studio500Gifts

Please note the color of the art may vary since the coloring on a computer is in computer terms RGB and the actual print is in CMYK.

This French Vintage Postcard Travel Ad is already matted onto an Ivory Mat and already put into a black glass frame 11 by 14 inches.

This black format frame is already made to be hung on a wall with it's Built-in Backend Mouldings. Comes with a black shield to separate the painting from the backend.



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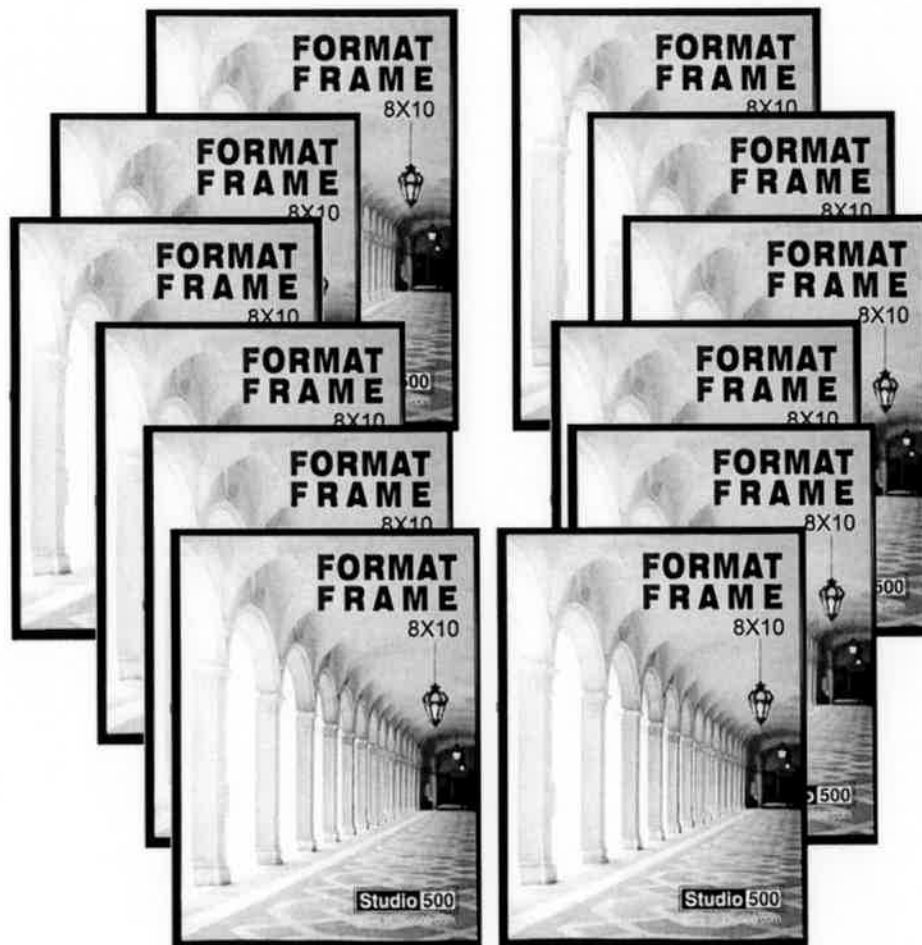
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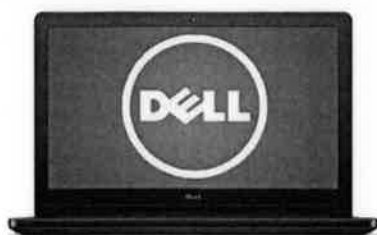
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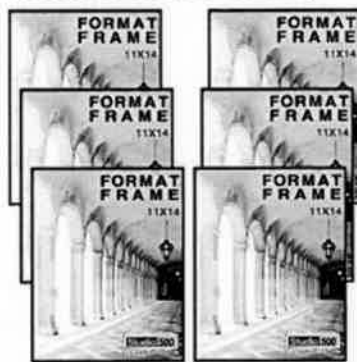
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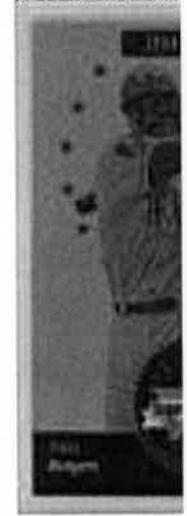
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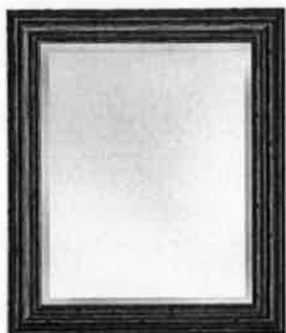
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@battatuastudio500

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Studio 500, Inc. shared Suzanne Venuti Harris's post.

December 22, 2016 at 11:37pm ·



Suzanne Venuti Harris

December 22, 2016 at 11:37pm ·

Studio 500 8 x 10 format picture frames for sale! 12-Pack Value Pack.



Free shipping on purchase of \$25.00 | Studio 500, 8 by 10-inch, Format Frame, Black, 12-Pack

Battuta Inc is the manufacturer of Studio 500 and it is the company to go to...when it comes to format frames these are easy to use. Putting your...

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Studio 500, Inc. shared Suzanne Venuti Harris's post.

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December 22, 2016 at 12:17pm ·

We are selling this as a last-minute gift idea. This is an image painted and printed. It is 16 x 20" of Barack Hussein Obama our first African American president!

Home Decor

5.0

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Studio500, Inc., established in 1997 provides gorgeous frames! Plus mat-boards, bevel-cut mats which are all made in the USA.



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Typically replies within a day  
Message Now



[www.studio500inc.com/](http://www.studio500inc.com/)



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1 Review



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Studio 500, Inc.

November 21, 2016 ·

Makes a Perfect Gift for the Holidays  
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Free shipping on purchase of \$49.00 | Studio 500, 5 by 7-inch, Format Frame, Black, 12-Pack

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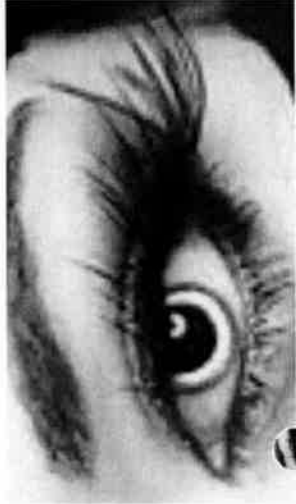
## Studio 500

North Jersey's Number 1 Online Store for All Types of Picture Frames  
<http://www.Studio500inc.com>

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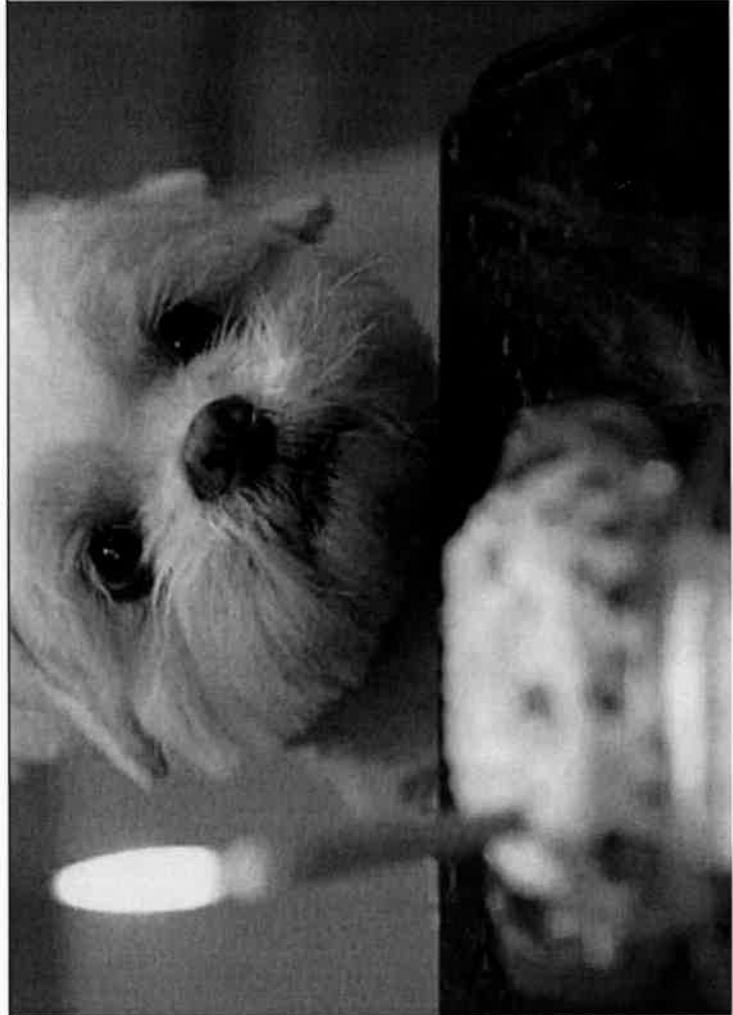


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Read our latest article Sellers Worldwide Using the FBA Service Grew More Than 70 Percent

# STUDIO 500, INC.

20 reviews | 4.4 out of 5

Previously known as Battuta, and have since changed the seller name.

They have 38 products in stock fulfilled from their own warehouse. Average product price is \$20.00 - \$30.00 from Studio 500 brand.

STUDIO 500, INC. received 7 feedback ratings last month, putting them in the 98,407th position overall. Compared to feedback received in a year they are doing better now.

Most products are in Home, Garden & Tools and Electronics & Computers categories.

Sellers like Johnston and Johnston Books (Shipping Worldwide), Ovida Electronics, Hat Leash and Global Animal Sign are relevant.



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PRODUCTS STUDIO 500, INC. ETSY



STUDIO 500, 11  
BY 14-INCH,  
FORMAT FRAME,  
BLACK, 1-PACK



STUDIO 500, 11  
BY 14-INCH,  
FORMAT FRAME,  
BLACK, 2-PACK



STUDIO 500, 8  
BY 10-INCH,  
FORMAT FRAME,  
BLACK, 2-PACK



STUDIO 500  
COLLAGE FRAME  
WITH 11 IMAGE  
OPENINGS, 20" L  
X 20" W, SILVER



STUDIO 500, 8  
BY 10-INCH,  
FORMAT FRAME,  
BLACK, 6-PACK



STUDIO 500, 8.5  
BY 11-INCH,  
FORMAT FRAME,  
BLACK, 12-PACK



11 BY 14-INCH  
BLACK FORMAT  
FRAME WITH  
WHITE, MATTED  
FRENCH  
VINTAGE WITH  
"CE SOIR DANS  
LE TRAIN" ...



STUDIO 500, 8  
BY 10-INCH  
ACID-FREE  
IVORY 50-PACK  
BACKING BOARD

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BLACK FORMAT  
FRAME WITH  
WHITE MATTED  
ALREADY IN  
THIS METALLIC  
VINTAGE  
FRENCH ...

ARTICLES



STUDIO 500, 5  
BY 7-INCH,  
GLAM  
COLLECTION,  
GLAM CAM (DF)  
NATURAL  
(09522-2), 6-  
PACK

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STUDIO 500,,  
ACID-FREE  
PACK OF 50 8  
BY 10-INCH  
BLACK PICTURE  
MAT MATTES  
WITH WHITE  
CORE BEVEL ...

AMAZON

ETSY



STUDIO 500, 27  
BY 41-INCH,  
MOULDING 1-  
3/16"W X 3/4"H  
X 1"D, MODERN  
PICTURE FRAME  
COLLECTION, ...

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## RECENT REVIEWS

This product is a piece of junk. Extremely flimsy and glass fell out as I pulled it out of box? The frame is too flimsy to hold glass secure. Also, there is nothing on the product that states where this product was made (Made in China or US.....)

— On December 28, 2016

Quick delivery. Nice product. Would order again.

— On December 27, 2016

The frames were as described but two of them came with broken glass. Unfortunately, by the time I got the package, I couldn't return it because I need it to frame 4 of the pictures for

1/6/2017

STUDIO 500, INC. on Amazon USA - Marketplace Pulse


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— On December 27, 2016 EBAY ▾ WALMART ETSY

For the price you can't go wrong.

— On December 26, 2016

I received my product.

— On December 24, 2016

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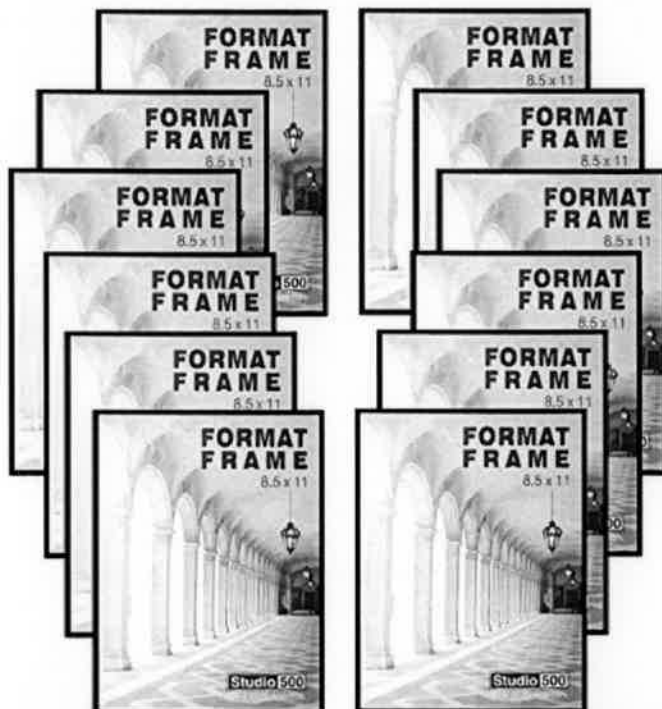
WALL &amp; TABLE TOP FRAMES

SHOP BY SIZE

8.5X11

PAGE 79

## Product Details

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## Studio 500, 8.5 by 11-inch, Format Frame, Black, 12-Pack

LIST PRICE: ~~\$34.34~~OUR PRICE: **\$34.00**

TOTAL SAVINGS: 1% OFF

AVAILABILITY: **In Stock**

Usually ships in 1-2 business days

QUANTITY: 



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## Product Description

Battuta Inc is the manufacturer of Studio 500 it is the company to go to...when it comes to format frames these are easy to use. Putting your picture together is as easy as 1, 2, 3. Follow instructions; Front load your pictures: 1. Pop out the smooth trimmed glass 2. Insert your picture 3. Pop the glass back in the frame. 4. Add your Adapter included in the back if you want it for a table top or shelf. 5. If you want to hang your image vertically or horizontally; please use the back mouldings built-in for hanging. Be sure to check out our spring/summer frames coming to Amazon. Have any questions? Contact us at [battutainc@gmail.com](mailto:battutainc@gmail.com) and we will be happy to assist you in anyway.

## Features & Highlights

- ✓ 8.5" by 11-inch Chic Format Frame. Very thin frame profile easy to hang or put on your shelf or table top!
- ✓ This chic frame has an adapter on the back to make this format frame into a standing frame at any time. To hang your image it this format frame has a built-in moulding to hang your frame.
- ✓ It's Your Choice...to hang (with built-in backend moulding) or display your Picture Frames Vertically or Horizontally on a tabletop or shelf with the adapter that arrives with this item.
- ✓ Perfect Gift for any Occassion; Perfect home decor for the Soccer Mom, Football Mom, Baseball Mom, the latest trending Watchdog Mom, etc.
- ✓ Studio 500, Inc., 8.5 by 11-inch, Format Frame, Black, 12-Pack










## Specifications

## Size &amp; Weight

Manufacturer:	Battuta, Inc.	Item Weight:	6 pounds
Brand:	Studio 500	Item Size:	0.5 x 8 x 8 inches
Color:	Black	Package Weight:	12 pounds
Model:	B500FF8.5X11BLK12	Package Size:	11.5 x 9.5 x 9.5 inches
UPC:	700118856802	Units in Package:	12

## Additional "8.5x11" Products

ALL 8.5X11

 <p>ArtToFrames 8.5x11 inch Berry Rustic Barnwood Wood Picture Frame, WOM0066-77900-YPNK-8.5x11</p> <p>4.5 of 5.0 with 25 Reviews</p> <p>Sale Price: \$13.17 50% off</p>	 <p>DAX® Solid Wood Document Frame Set FRAME,DCMNT,8.5X11,BK2/ST (Pack of4)</p> <p>Sale Price: \$30.08 72% off</p>	 <p>ArtToFrames MDF Picture Frame WOMCF-105-048C-8.5x14 11x18 inch Black Satin</p> <p>Sale Price: \$18.22 50% off</p>
 <p>Craig Frames 74012 8.5 by 11-Inch Picture Frame, Smooth Wrap Finish, 2-Inch Wide, Off-White Rustic Pine</p> <p>Sale Price: \$14.99 35% off</p>	 <p>Craig Frames 88066 8.5 by 11-Inch Picture Frame, Smooth Wrap Finish, 2-Inch Wide, Antique Gold</p> <p>3.8 of 5.0 with 22 Reviews</p> <p>Sale Price: \$14.99 35% off</p>	 <p>Classic Eden Green Picture Frame-Solid Wood, 8.5x11</p> <p>4.3 of 5.0 with 3 Reviews</p> <p>Sale Price: \$13.99 47% off</p>
 <p>Craig Frames 50036 8.5 by 11-Inch Picture Frame, Smooth Wrap Finish, 2.375-Inch Wide, Walnut Brown</p> <p>4.3 of 5.0 with 19 Reviews</p> <p>Sale Price: \$17.99 34% off</p>	 <p>Distressed Ponderosa Paprika Picture Frame-Solid Wood, 8.5x11</p> <p>Sale Price: \$17.99 44% off</p>	 <p>Value U-Channel Document Frame w/Certificates, 8-1/2 x 11, Black, Sold as 1 Each</p> <p>5.0 of 5.0 with 2 Reviews</p> <p>Sale Price: \$8.00 2% off</p>

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12x16	12x18	16x20
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4x10	4x5	4x6
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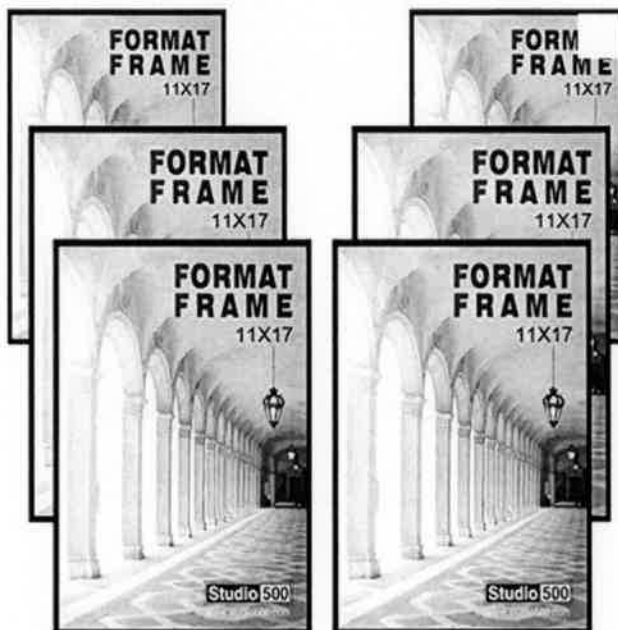


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